

# Exhibit C

JENNIFER POWERS - 10/16/2018

1

2 UNITED STATES DISTRICT COURT

3 EASTERN DISTRICT OF NEW YORK

4 -----x

5 HILLARY LAWSON, KRISTINA HALLMAN,  
6 STEPHANIE CALDWELL, MOIRA HATHAWAY,  
7 MACEY SPEIGHT, ROSEMARIE PETERSON,  
and LAUREN FULLER,

Plaintiffs,

8

-against-

Case No. 1:17-cv-06404

9

10 HOWARD RUBIN, JENNIFER POWERS,  
and the DOE COMPANY,

11

Defendants.

12

-----x

13

October 16, 2018  
10:07 a.m.

14

15 Videotaped Deposition of JENNIFER  
16 POWERS, taken by Plaintiffs, pursuant to  
17 Notice, at the offices of Balestriere  
18 Fariello, 225 Broadway, New York, New  
19 York, before ERIC J. FINZ, a Shorthand  
20 Reporter and Notary Public within and for  
21 the State of New York.

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1

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22 Powers

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25

1

2 ALSO PRESENT:

3 HOWARD RUBIN

4 RUDOLFO DURAN, Videographer

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IT IS HEREBY STIPULATED AND  
AGREED by and between the attorneys for  
the respective parties herein that filing  
and sealing be and the same are hereby  
waived.

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IT IS FURTHER STIPULATED AND  
AGREED that all objections, except as to  
the form of the question, shall be  
reserved to the time of the trial.

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IT IS FURTHER STIPULATED AND  
AGREED that the within deposition may be  
signed and sworn to before any officer  
authorized to administer an oath with the  
same force and effect as if signed and  
sworn to before the Court.

1 JENNIFER POWERS

2 A. To my knowledge. 11:17:51

3 Q. Do you know if Ms. Schnur 11:17:52

4 created any nondisclosure agreements? 11:17:54

5 A. No. 11:17:57

6 Q. I'm sorry, I don't understand 11:17:59

7 your testimony. She didn't or you don't 11:18:03

8 know if she did? 11:18:05

9 A. Yifat did not. 11:18:06

10 Q. Who did? 11:18:07

11 A. A guy named [REDACTED]. 11:18:08

12 Q. Do you know when Mr. [REDACTED] 11:18:11

13 did that? 11:18:13

14 A. I'm sorry, when? 11:18:13

15 Q. Do you know when Mr. [REDACTED] 11:18:14

16 or someone at his direction drafted the 11:18:15

17 nondisclosure agreements? 11:18:17

18 A. I believe it was 2014. I'm 11:18:18

19 not sure. But sometime in 2014. 11:18:23

20 Q. At that time Ms. Schnur wasn't 11:18:26

21 engaged by you and Mr. Rubin. Correct? 11:18:30

22 A. I didn't know Yifat then. Or 11:18:34

23 Howie didn't know her at that point. 11:18:36

24 Q. Was Mr. [REDACTED] ever your 11:18:37

25 counsel? 11:18:39

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1 JENNIFER POWERS

2 A. Yes.

11:51:17

3 Q. Besides paying for flights and  
4 besides making those kind of direct  
5 payments to the individuals, did you make  
6 other payments to these individuals for  
7 something else?

11:51:18

11:51:23

11:51:25

11:51:29

11:51:30

8 A. No.

11:51:32

9 Q. Did you ever make payments for  
10 medical treatment or anything like that,  
11 to the best of your recollection?

11:51:33

11:51:34

11:51:37

12 A. No.

11:51:39

13 Q. Did you ever meet --  
14 withdrawn.

11:51:40

11:51:40

15 Did all the women that you  
16 booked to come to New York, did they  
17 always meet Mr. Rubin at the apartment?

11:51:47

11:51:48

11:51:50

18 A. In the beginning, no.

11:51:53

19 Actually, the apartment came about to be  
20 sometime summer of 2011. So before that,  
21 the meetings could be outside the  
22 apartment.

11:51:56

11:52:00

11:52:04

11:52:07

23 Q. Where?

11:52:08

24 A. A hotel.

11:52:09

25 Q. Was there a specific hotel?

11:52:10

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1 JENNIFER POWERS

2 A. No.

11:52:12

3 Q. How many hotels, do you  
4 recall?

11:52:13

11:52:16

5 A. I don't remember.

11:52:16

6 Q. Where were the hotels located?

11:52:17

7 A. In Manhattan.

11:52:20

8 Q. In midtown Manhattan?

11:52:21

9 A. Yes, sir.

11:52:23

10 Q. Were there any not in the  
11 midtown area?

11:52:23

11:52:25

12 A. I don't remember there being  
13 any outside that area.

11:52:26

11:52:29

14 Q. So besides the apartment and  
15 besides the hotel, where else, if  
16 anywhere, did Mr. Rubin meet with the  
17 individuals who -- for whom you booked  
18 these flights?

11:52:30

11:52:33

11:52:37

11:52:39

11:52:42

19 A. They would go to a restaurant,  
20 or perhaps a Broadway show or a movie.  
21 Maybe a rooftop for drinks.

11:52:43

11:52:45

11:52:50

22 Q. Do you remember which shows,  
23 which Broadway shows?

11:52:54

11:52:55

24 A. Hamilton.

11:52:56

25 Q. Besides that, do you remember

11:53:02



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1 JENNIFER POWERS

2 Q. What about any actual physical 12:06:51  
3 books, did he keep any records in any 12:06:53  
4 physical books regarding the women he met 12:06:55  
5 with? 12:06:57

6 A. Not that I'm aware of. 12:06:57

7 Q. Now, the apartment that we 12:06:59  
8 were talking about, whose name was on the 12:07:07  
9 lease? 12:07:08

10 A. Howie's. 12:07:09

11 Q. Was it under his personal 12:07:12  
12 name, do you know? 12:07:14

13 A. I believe so. 12:07:14

14 Q. We were discussing before 12:07:23  
15 nondisclosure agreements. Do you know 12:07:26  
16 which plaintiffs, so now I'm going to 12:07:28  
17 restrict it to that, signed nondisclosure 12:07:32  
18 agreements? 12:07:34

19 A. Yes. 12:07:35

20 Q. Which? 12:07:35

21 A. All of them. 12:07:36

22 Q. Now I'm going to talk 12:07:36  
23 nonplaintiffs and ask you if you know if 12:07:38  
24 they signed any nondisclosure agreements. 12:07:40  
25 Do you know if [REDACTED] did? 12:07:43

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1 JENNIFER POWERS

2 A. I believe so. 12:07:44

3 Q. What about [REDACTED]? 12:07:45

4 A. Yes. 12:07:47

5 Q. [REDACTED], do you know if 12:07:47

6 she did? 12:07:50

7 A. Yes. 12:07:51

8 Q. What about [REDACTED], do 12:07:53

9 you know if she did? 12:07:57

10 A. I believe so. 12:07:58

11 Q. [REDACTED], did she 12:07:59

12 signed a nondisclosure agreement? 12:08:01

13 A. I believe so, yes. 12:08:03

14 Q. What about [REDACTED]? 12:08:04

15 A. Yes. 12:08:07

16 Q. And [REDACTED]? 12:08:07

17 A. Yes. 12:08:09

18 Q. Were you ever present when any 12:08:11

19 of the women we just discussed signed 12:08:14

20 these nondisclosure agreements? 12:08:15

21 A. Yes. 12:08:17

22 Q. Where did they sign them? 12:08:17

23 A. In the condo, in the 12:08:19

24 apartment. 12:08:23

25 Q. Did everyone we just discussed 12:08:24

1 JENNIFER POWERS

2 sign the nondisclosure agreement in the  
3 apartment?

12:08:27

12:08:29

4 A. I believe so.

12:08:31

5 Q. Was there anywhere else that  
6 they signed them, to your knowledge?

12:08:37

12:08:39

7 A. Not to my knowledge.

12:08:41

8 Q. But I guess I'm not sure, do  
9 you think that they might have? I'm not  
10 sure if I understand what your  
11 recollection is, forgive me.

12:08:43

12:08:46

12:08:48

12:08:49

12 A. No, no, I'm sorry.

12:08:51

13 Q. That's okay.

12:08:52

14 A. I always signed the release  
15 with them. So being that it was me that  
16 always was with them when they signed the  
17 release, I usually met them at the  
18 apartment. And that's where we signed.

12:08:53

12:08:55

12:08:59

12:09:01

12:09:03

19 Q. So you always signed the  
20 nondisclosure agreements with the women  
21 that we've been discussing. Correct?

12:09:05

12:09:09

12:09:10

22 A. I always discussed it with  
23 them and made sure that they knew what  
24 they were signing, yes.

12:09:12

12:09:14

12:09:16

25 Q. Okay. But I understand you're

12:09:17

JENNIFER POWERS - 10/16/2018

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1 JENNIFER POWERS

2 saying what you discussed with them. I 12:09:19

3 just want to be clear, you were always 12:09:21

4 there when they signed these 12:09:23

5 nondisclosure agreements. Correct? 12:09:24

6 A. Yes, correct. 12:09:25

7 Q. And just to clarify because 12:09:26

8 we've used the term "release" at certain 12:09:28

9 point. When you use the term "release," 12:09:30

10 you're referring to the same document, 12:09:32

11 the nondisclosure agreement? 12:09:33

12 A. It's actually a nondisclosure 12:09:34

13 agreement and release. 12:09:36

14 Q. Do you prefer another name for 12:09:37

15 it, I don't want to be confusing? 12:09:38

16 A. You can call it whatever you 12:09:40

17 want. 12:09:41

18 Q. What do you call it? 12:09:41

19 A. I call it the release. 12:09:42

20 Q. So then I'll call it the 12:09:43

21 release. 12:09:45

22 You were always present with 12:09:45

23 each of the women we've discussed when 12:09:47

24 they signed the releases. Correct? 12:09:48

25 A. Yes. 12:09:50

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1 JENNIFER POWERS

2 Q. And you were always present 12:09:50  
3 with them at the apartment when they 12:09:54  
4 signed these releases. Right? 12:09:55

5 A. Yes, sir. 12:09:57

6 Q. Who, if anyone else, was 12:09:57  
7 present when they signed these releases? 12:09:59

8 A. Well, in [REDACTED] case, when she 12:10:01  
9 brought a friend, that other person would 12:10:05  
10 be there as well. 12:10:07

11 Q. Who are we talking about a 12:10:08  
12 friend? 12:10:10

13 A. [REDACTED]. So then it would 12:10:10  
14 be [REDACTED], [REDACTED] and I signing -- and going 12:10:13  
15 over the same release, executing it. 12:10:17

16 Q. And you were the only ones 12:10:20  
17 there during at least when Ms. [REDACTED] 12:10:22  
18 signed it. Is that correct? 12:10:24

19 A. Yes. 12:10:25

20 Q. Okay. Was Mr. Rubin ever 12:10:25  
21 present when you were with the women 12:10:27  
22 we've been discussing and they signed the 12:10:30  
23 releases? 12:10:32

24 A. No. 12:10:33

25 Q. What about anyone else really, 12:10:33

1 JENNIFER POWERS

2 A. No. 12:26:08

3 Q. How come? 12:26:09

4 A. [REDACTED] duty was to clean 12:26:10

5 the sheets of the bedroom, wash the 12:26:14

6 dishes, vacuum the floors. I did the 12:26:18

7 second bedroom. 12:26:20

8 Q. Was there something special 12:26:21

9 about what you're calling the second 12:26:22

10 bedroom? 12:26:24

11 A. Well, the second bedroom was 12:26:24

12 where we kept all of Howie's toys and 12:26:27

13 things of that nature. 12:26:30

14 Q. The sex toys and things for 12:26:32

15 BDSM? 12:26:34

16 A. Yes, sir. 12:26:35

17 Q. Was access to what you're 12:26:35

18 calling the second bedroom restricted? 12:26:37

19 A. Yes. 12:26:39

20 Q. How do you get into the second 12:26:39

21 bedroom from the rest of the apartment? 12:26:40

22 A. There was a lock on the door 12:26:43

23 that I installed. It was a keyed lock 12:26:44

24 with a code on it. 12:26:47

25 Q. So you knew the code. Right? 12:26:48

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1 JENNIFER POWERS

2 Jennifer McGuffin.

15:51:37

3 Q. Can you spell McGuffin?

15:51:38

4 A. M-c-G-u-f-f-i-n.

15:51:40

5 Q. Thank you.

15:51:43

6 A. You're welcome.

15:51:44

7 MR. BALESTRIERE: No further

15:51:45

8 questions.

15:51:45

9 MR. McDONALD: We don't have

15:51:47

10 any questions.

15:51:50

11 THE VIDEOGRAPHER: The time is

15:51:51

12 3:51 p.m., and we're going off the

15:51:53

13 record.

15:51:55

14 (Time noted: 3:51 p.m.)

15:51:56

15

16

17

18 JENNIFER POWERS

19

20 Subscribed and sworn to before me

21 this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

22

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JENNIFER POWERS - 10/16/2018

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1 JENNIFER POWERS

2 STATE OF NEW YORK )  
3 COUNTY OF NEW YORK ) ss:

4 I wish to make the following  
5 changes, for the following reasons:

6 PAGE LINE

7 \_\_\_\_\_ CHANGE \_\_\_\_\_  
8 REASON: \_\_\_\_\_

9 \_\_\_\_\_ CHANGE \_\_\_\_\_  
10 REASON: \_\_\_\_\_

11 \_\_\_\_\_ CHANGE \_\_\_\_\_  
12 REASON: \_\_\_\_\_

13 \_\_\_\_\_ CHANGE \_\_\_\_\_  
14 REASON: \_\_\_\_\_

15 \_\_\_\_\_ CHANGE \_\_\_\_\_  
16 REASON: \_\_\_\_\_

17 \_\_\_\_\_ CHANGE \_\_\_\_\_  
18 REASON: \_\_\_\_\_

19 \_\_\_\_\_ CHANGE \_\_\_\_\_  
20 REASON: \_\_\_\_\_

21 \_\_\_\_\_ CHANGE \_\_\_\_\_  
22 REASON: \_\_\_\_\_

23 \_\_\_\_\_ CHANGE \_\_\_\_\_  
24 REASON: \_\_\_\_\_

25 \_\_\_\_\_ CHANGE \_\_\_\_\_  
REASON: \_\_\_\_\_

26 \_\_\_\_\_  
27 JENNIFER POWERS  
28 Subscribed and sworn to before me  
29 this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

30 \_\_\_\_\_  
31 \_\_\_\_\_



JENNIFER POWERS - 10/16/2018

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1 JENNIFER POWERS

2 C E R T I F I C A T E

3 STATE OF NEW YORK )  
4 : ss.  
5 COUNTY OF NEW YORK )

6

7 I, ERIC J. FINZ, a Shorthand  
8 Reporter and Notary Public within and for  
9 the State of New York, do hereby certify:

10 That JENNIFER POWERS, the witness  
11 whose deposition is hereinbefore set  
12 forth, was duly sworn by me and that such  
13 deposition is a true record of the  
14 testimony given by the witness.

15 I further certify that I am not  
16 related to any of the parties to this  
17 action by blood or marriage, and that I  
18 am in no way interested in the outcome of  
19 this matter.

20 IN WITNESS WHEREOF, I have hereunto  
21 set my hand this 19th day of October,  
22 2018.

23 

24

25 ERIC J. FINZ

1	JENNIFER POWERS	
2	E X H I B I T S	
3	DESCRIPTION	PAGE
4	(Powers Exhibit 1 for	245
5	identification, document headed	
6	"Confidentiality Agreement and	
7	Release," production numbers HR	
8	47 through HR 48.)	
9	(Powers Exhibit 2 for	247
10	identification, document headed	
11	"Confidentiality Agreement and	
12	Release," production numbers HR	
13	49 through HR 50.)	
14	(Powers Exhibit 3 for	249
15	identification, document headed	
16	"Confidentiality Agreement and	
17	Release," production numbers HR	
18	51 through HR 52.)	
19	(Powers Exhibit 4 for	250
20	identification, document headed	
21	"Confidentiality Agreement and	
22	Release," production numbers HR	
23	469 through HR 470.)	
24		
25		

1	JENNIFER POWERS	
2	E X H I B I T S (Continued)	
3	DESCRIPTION	PAGE
4	(Powers Exhibit 5 for	251
5	identification, document headed	
6	"Confidentiality Agreement and	
7	Release," production numbers HR	
8	473 through HR 474.)	
9	(Powers Exhibit 6 for	253
10	identification, document headed	
11	"Confidentiality Agreement and	
12	Release," production numbers HR	
13	471 through HR 472.)	
14	(Powers Exhibit 7 for	256
15	identification, document headed	
16	"Confidentiality Agreement and	
17	Release," production numbers HR	
18	693 through HR 694.)	
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